

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ANTHONY BROWN, SR., individually and as
Special Administrator for the Estate of Jenika D.
Brown,

Plaintiff,

vs.

BNSF RAILWAY COMPANY; BNSF
LOGISTICS, LLC; and THE ESTATE OF
JENA FREE,

Defendants.

8:24CV475

**ORDER ON MOTION TO TERMINATE
THE ESTATE OF JENA FREE AS A
PARTY**

This case is before the Court on the Motion to Terminate the Estate of Jena Free as a Party and Remove Counsel from the Service List filed by defendant the Estate of Jena Free (Estate of Free) on December 12, 2024. [Filing 7](#). The Estate of Free states that this action was originally filed on June 12, 2024, in the District Court for Lancaster County, Nebraska. [Filing 7 at 1](#) (¶ 1). The Estate of Free states that Plaintiff filed a Dismissal with Prejudice as to the Estate of Free on December 9, 2024, and that the state court then entered an order on December 10, 2024, dismissing the Estate of Free with prejudice. [Filing 7 at 1](#) (¶¶ 2–3); *see also* [Filing 7-1](#) (Order of Dismissal with Prejudice of Defendant Estate of Jena Free Only). On December 10, 2024, Defendant BNSF Railway Company also filed its Notice of Removal of this case to this Court. [Filing 7 at 1](#) (¶ 4); [Filing 1](#) (Notice of Removal).

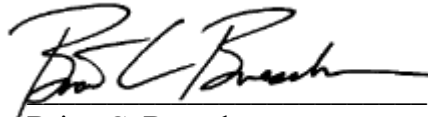
The Estate of Free requests that it be terminated as a party to this case and its counsel removed from the service list given that it was dismissed as a party in the state court action with prejudice prior to the removal of the case to this Court. [Filing 7 at 2](#) (¶ 4). No party has opposed the termination of the Estate of Free as a party to this action or the removal of its counsel from the

service list. Moreover, it appears from the record that the Estate of Free was dismissed from this case with prejudice prior to removal of the case. Accordingly,

IT IS ORDERED that the Motion to Terminate the Estate of Jena Free as a Party and Remove Counsel from the Service List filed by defendant the Estate of Jena Free (Estate of Free), [Filing 7](#), is granted. The Clerk of Court shall terminate the Estate of Jena Free as a party to this case and remove its counsel from the service list.

Dated this 4th day of February, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge